Application Number: 10/595,524

Date of Petition: March 1, 2011

ARGUMENTS

The claims have been deemed unpatentable in light of US 2004/043,682 (Taylor).

The construction board of Taylor is a commonly known board wherein a slurry coating on a base board (substrate) protrudes in linear lines or ridges directly over fibers of a mesh - as a result of the mesh being coated by the slurry coating.

In contrast, claim 1 defines a construction board with protrusions that are not in the form of lines or ridges and moreover these protrusions are not below the fibers of the mesh rather the mesh is at the perimeter of the protrusions – i.e. the mesh defines the perimeter of the protrusions (i.e. the mesh surrounds the protrusions and is not directly below the protrusions - or ridges in the case of Taylor). This structure tends to form a construction board with superior strength and/or provides for improved adhesion to other building elements or building materials.

Without limitation to theory, it is believed that the present board is produced by the timing of the entry of the mesh into/onto the slurry, the slurry having already been applied to the substrate. In contrast, with commonly known boards, such as Taylor's, the slurry coats the top of the mesh. In other words, in the present application the mesh is introduced into the slurry which is already on the substrate. Method claim 6 defines this procedure wherein the method defines the step of "applying a layer of coating over a board to be used in the construction industry", and then "laying a mesh over the board, within the coating".

Applicant therefore hopes that the Examiner will allow the application to proceed to acceptance. Reconsideration and withdrawal of the rejection and issue of a notice of allowance on the pending claims is respectfully solicited.

In light of this petition to revive combined with the payment for RCE, Applicant would be grateful to receive a favorable reaction.

Respectfully submitted,

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